



PTO/SB/30 (10/2001)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/445,796
Filing Date	March 13, 2000
First Named Inventor	Mallangi et al.
Art Unit	1651
Examiner Name	V. Afremova
Attorney Docket Number	112701-052

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR §1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☒ Other Return Receipt Postcard

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-1818
- i. ☐ RCE fee required under 37 CFR §1.17(e)
- ii. ☐ Extension of time fee (37 CFR §§1.136 and 1.17)
- iii. ☒ Other any additional fees
- b. ☒ Check in the amount of \$ 1,160.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Robert M. Barrett	Registration No. (Attorney / Agent)	30,142
Signature		Date	April 3, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

Name (Print / Type)	Robert M. Barrett	Date	April 3, 2003
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Mallangi et al.
Appl. No.: 09/445,796
Conf. No. 1391
Filed: March 13, 2000
Title: ABSORPTION OF MINERALS BY INTESTINAL CELLS
Art Unit: 1651
Examiner: V. Afremova
Docket No.: 112701-052

Commissioner for Patents
Washington, DC 20231

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RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action dated November 19, 2002, please amend the above-identified patent application as follows:

In the Claims:

Please amend Claims 11, 19, 23 and 26 as follows:

91 11. (Three Times Amended) A method for the treatment or prophylaxis of calcium deficiencies in a mammal having or at risk of calcium deficiency comprising the steps of enterally administering to the mammal a nutritional composition comprising one or more *Lactobacillus* bacteria capable of arriving in a living state in intestines of the mammal

92 19. (Three Times Amended) A method for increasing absorption of calcium from a diet comprising the steps of enterally administering to a mammal requiring increased calcium absorption a nutritional composition comprising one or more *Lactobacillus* bacteria capable of arriving in a living state in intestines of the mammal.